

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

OFFICE OF THE CLERK

UNITED STATES OF AMERICA,)	4:09CR-3005
)	
Plaintiff,)	SUPERCEDING
vs.)	INDICTMENT
AARON LAWLESS and RICHARD CANFIELD,)	26 U.S.C. §§ 5861(d), 5861(i)
)	26 U.S.C. §§ 5871, 5872
Defendant.)	18 U.S.C. §§ 924(a)(2), §924(d)
)	28 U.S.C. §2461(c)
)	18 U.S.C. §922(g)(3)

The Grand Jury Charges that:

COUNT I

On or about the 25th day of November, 2008, in the District of Nebraska, AARON LAWLESS and RICHARD CANFIELD, defendants, did each knowingly possess a firearm, to wit:

- (1) An AK-type 7.62 x 39 mm caliber machine gun, bearing number on receiver of MR1904 but no apparent serial number, with a barrel length of approximately 10 3/4 inches, and
- (2) An AK-type 5.45 x 39 mm caliber machine gun, with no apparent serial number, with a barrel length of approximately 10 5/8 inches

which were not registered to AARON LAWLESS or RICHARD CANFIELD, in the National Firearms Registration and Transfer Record.

In violation of Title 26, United States Code, Sections 5861(d) and 5871.

COUNT II

On or about the 25th day of November, 2008, in the District of Nebraska, AARON LAWLESS and RICHARD CANFIELD, defendants did each knowingly receive and possess a firearm, to wit:

- (1) An AK-type 7.62 x 39 mm caliber machine gun, bearing number on receiver of MR1904, with a barrel length of approximately 10 3/4 inches, and
- (2) An AK-type 5.45 x 39 mm caliber machine gun, with a barrel length of approximately 10 5/8 inches

not identified by a serial number as required by Chapter 53 of Title 26.

In violation of Title 26, United States Code, Sections 5861(i) and 5871.

COUNT III

On or about the 25th day of November, 2008, in the District of Nebraska, AARON LAWLESS and RICHARD CANFIELD, defendants, each then being an unlawful user of a controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting interstate commerce, a firearm, to wit:

- (1) An AK-type 7.62 x 39 mm caliber machine gun, bearing number on receiver of MR1904 but no apparent serial number, with a barrel length of approximately 10 3/4 inches, and
- (2) An AK-type 5.45 x 39 mm caliber machine gun, with no apparent serial number, with a barrel length of approximately 10 5/8 inches

said firearm having been shipped and transported in interstate commerce.

In violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

COUNT IV

On or about the 25th day of November, 2008, in the District of Nebraska, AARON LAWLESS, defendant, did knowingly possess a firearm, to wit:

- (1) A Ruger .22 caliber rifle with serial number 259-58311, with a barrel less than 16 inches in length, to wit: approximately 12 1/2 inches in length

which was not registered to AARON LAWLESS, in the National Firearms Registration and Transfer Record.

In violation of Title 26, United States Code, Sections 5861(d) and 5871.

COUNT V

On or about the 25th day of November, 2008, in the District of Nebraska, AARON LAWLESS, defendant, then being an unlawful user of a controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting interstate commerce, a firearm, to wit:

- (1) A Ruger .22 caliber rifle with serial number 259-58311, with a barrel less than 16 inches in length, to wit: approximately 12 1/2 inches in length, and
- (2) A Walther .22 caliber rifle with serial number PW003618, and
- (3) A Ruger .22 caliber rifle with serial number 259-06799, and
- (4) A Benelli 12 gauge shotgun with serial number 2441099, and
- (5) A Norinco SKS type rifle, 7.62 caliber with serial number 2300479A, and
- (6) A Walter .22 caliber pistol with serial number N043336, and
- (7) An Advance Armament silencer with serial number WK0061, and
- (8) An Advance Armament silencer with serial number B0020, and
- (9) A SWR Trident 9 mm silencer with serial number T9-0462, and
- (10) A CCF Race Frames 9 mm pistol frame with serial number CCF001409, and
- (11) An AR 15 lower receiver with serial number 20638.

said firearm having been shipped and transported in interstate commerce.

In violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

COUNT VI

1. The allegations contained in Counts I though V of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d), Title 26, United States Code, Section 5872, and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses as set forth in Counts I through V of this Indictment, the defendants AARON LAWLESS and RICHARD CANFIELD, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d), Title 26, United States Code, Section 5872, and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved or used in the commission of the offenses, including, but not limited to:

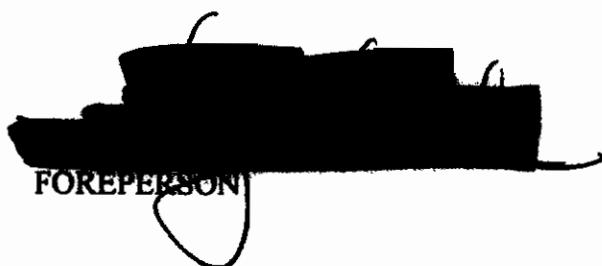
- (1) An AK-type 7.62 x 39 mm caliber machine gun, bearing number on receiver of MR1904 but no apparent serial number, with a barrel length of approximately 10 3/4 inches, and
- (2) An AK-type 5.45 x 39 mm caliber machine gun, with no apparent serial number, with a barrel length of approximately 10 5/8 inches, and
- (3) A Ruger .22 caliber rifle with serial number 259-58311, with a barrel less than 16 inches in length, to wit: approximately 12 1/2 inches in length, and
- (4) A Walther .22 caliber rifle with serial number PW003618, and
- (5) A Ruger .22 caliber rifle with serial number 259-06799, and
- (6) A Benelli 12 gauge shotgun with serial number 2441099, and
- (7) A Norinco SKS type rifle, 7.62 caliber with serial number 2300479A, and
- (8) A Walter .22 caliber pistol with serial number N043336, and
- (9) An Advance Armament silencer with serial number WK0061, and

4:09-cr-03005

- (10) An Advance Armament silencer with serial number B0020, and
- (11) A SWR Trident 9 mm silencer with serial number T9-0462, and
- (12) A CCF Race Frames 9 mm pistol frame with serial number CCF001409, and
- (13) An AR 15 lower receiver with serial number 20638.

All pursuant to Title 18, United States Code, Section 924(d), Title 26, United States Code, Section 5872, and Title 28 United States Code Section 2461(c).

A TRUE BILL:



FOREPERSON



JOE W. STECHER
United States Attorney

The United States of America requests that trial of this case be held at Lincoln, Nebraska, pursuant to the rules of this Court.



ALAN L. EVERETT
Assistant United States Attorney